

EXHIBIT F

From: Jeffrey P. Nolan
Sent: Tuesday, March 15, 2022 2:51 PM
To: 'Anthony Giuliano' <afg@glpcny.com>
Cc: Ilan D. Scharf <ischarf@pszjlaw.com>
Subject: RE: Abruzzi et al.

Anthony,

First, I have no idea what you are filing. We agreed to a briefing schedule for law/motion practice. We have other cases and I have a work load. Now, you say nonchalantly, I can simply submit an Opposition when I am supposed to be working on my Reply brief.

Second-I do not get the claim I somehow am at fault because you think the Separate Statement of Fact was submitted untimely. It was not. I sent you the draft weeks in advance. When I did not hear from you, I was prepared to simply file my own SSOF with the Motion. You file the Statement of Facts with the Motion. You could have sent me your own SSOF to support your Motion.

Why did you agree to a briefing schedule and not file your Motion by the agreed date? I could have considered it and been working on it the past weeks. You did it to save work for me...really? Now I must file a motion to strike in addition to my Reply.

I do not consent to a cross-motion. You will have the opportunity to respond and the Court can decide if it is allowable, prejudice, response date, etc.

Jeffrey P. Nolan
Pachulski Stang Ziehl & Jones LLP
Tel: 310.277.6910 | Fax: 310.201.0760
jnolan@pszjlaw.com
[vCard](#) | [Bio](#) | [LinkedIn](#)



Los Angeles | San Francisco | Wilmington, DE | New York | Houston

From: Anthony Giuliano [<mailto:afg@glpcny.com>]
Sent: Tuesday, March 15, 2022 6:21 AM
To: Jeffrey P. Nolan <jnolan@pszjlaw.com>
Subject: Re: Abruzzi et al.

Jeff –

What you're saying doesn't make sense. I made LESS work for you. Now all you have to do is file an opposition and reply in ONE document and not two. We can even you the same schedule if you want and make your opposition/reply the 29th. The

only additional time would be my reply which would be due two weeks later. I'm not sure why you are getting bent out of shape over this since you didn't adhere to the schedule with the joint statement of fact. And since the court can consider my opposition a cross-motion whether I call it that or not, this whole argument is academic. I just wanted to see if you wanted more time to respond, and wanted to avoid adding the argument that you have no statement of uncontested facts to rely on since it was file late. Also if you can explain how any of this (including having to wait a little longer to get discovery) costs more money?

Let me know if you want additional time to reply or we can just continue this pointless exercise in our papers.

Thanks

Anthony F. Giuliano, Esq.
Direct dial: (516) 792-6977
www.giulianolawpc.com



Email Disclaimer: Communications with this email address do not create or imply an attorney-client relationship.

Confidentiality Notice: This communication is from a lawyer and is legally protected pursuant to the Electronic Communications Privacy Act, 18 U.S.C. 2510, et seq., *inter alia*, and may contain privileged and confidential information protected by attorney-client and work product privileges or otherwise legally exempt from disclosure and is intended only for the individual named. If you are not the intended recipient, you are prohibited from retaining, reading, disseminating or duplicating any portion of this email and your receipt of this email is and shall not be deemed a waiver of any privilege or confidence. If you are not the named recipient and received this email in error, please immediately notify us by email or collect telephone call and then completely delete this email.

Tax Advice Disclosure: To ensure compliance with the requirements imposed by the IRS in Circular 230, you are hereby informed that any U.S. federal tax advice contained in this communication (including attachments) is not intended or written to be used and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

FDCPA NOTICE: Please be advised that this Firm may be acting as a debt collector and that this communication may constitute an attempt to collect a debt, and any information obtained will be used for that purpose. If the debt is in active bankruptcy or has been discharged through bankruptcy, this communication is not intended as and does not constitute an attempt to collect the debt.



From: "Jeffrey P. Nolan" <jnolan@pszjlaw.com>
Date: Monday, March 14, 2022 at 7:15 PM
To: "afg@glpcny.com" <afg@glpcny.com>
Cc: "Ilan D. Scharf" <ischarf@pszjlaw.com>
Subject: RE: Abruzzi et al.

Anthony,

I originally had suggested filing dates in December. I kicked dates out for filing SJ motions(s) on multiple occasions at your request. Why is this on me because your client did not file a motion?

So we are clear, I am not playing games but simply tired of the extracurricular activities that are unnecessarily increasing costs to litigate a 250K case. For example, your client asks for an extension to file an Answer to the Complaint, and files some bizarre pleading you recently asserted for the first time was a cross-complaint. Your client does not respond to discovery, asks me for multiple extensions, then his attorney substitutes out, new counsel comes in (You) and claims Petrozza does not have to respond to discovery because the Trustee failed to meet and confer per Rule 26.

Now, rather than file a Motion for SJ under the agreed briefing schedule to which you agreed, Petrozza intends to file an Opposition and change the title to make the Trustee incur more time, costs or to obfuscate. More games.

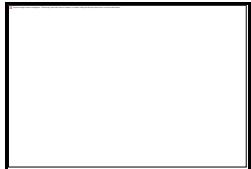
Jeffrey P. Nolan

Pachulski Stang Ziehl & Jones LLP

Tel: 310.277.6910 | Fax: 310.201.0760

jnolan@pszjlaw.com

[vCard](#) | [Bio](#) | [LinkedIn](#)



Los Angeles | San Francisco | Wilmington, DE | New York | Houston

From: Anthony Giuliano [<mailto:afg@glpcny.com>]

Sent: Monday, March 14, 2022 3:25 PM

To: Jeffrey P. Nolan <jnolan@pszjlaw.com>

Subject: Re: Abruzzi et al.

Jeff – Ok let's play games. The joint statement of facts was too late and therefore your motion fails for lack of a statement of facts. Further, since the court did not so order your letter, those dates are mere suggestions. If you choose not to respond to me motion you do so at your own peril.

Anthony F. Giuliano, Esq.

Direct dial: (516) 792-6977

www.giulianolawpc.com



Email Disclaimer: Communications with this email address do not create or imply an attorney-client relationship.

Confidentiality Notice: This communication is from a lawyer and is legally protected pursuant to the Electronic Communications Privacy Act, 18 U.S.C. 2510, et seq., inter alia, and may contain privileged and confidential information protected by attorney-client and work product privileges or otherwise legally exempt from disclosure and is intended only for the individual named. If you are not the intended recipient, you are prohibited from retaining, reading, disseminating or duplicating any portion of this email and your receipt of this email is and shall not be deemed a waiver of any privilege or confidence. If you are not the named recipient and received this email in error, please immediately notify us by email or collect telephone call and then completely delete this email.

Tax Advice Disclosure: To ensure compliance with the requirements imposed by the IRS in Circular 230, you are hereby informed that any U.S. federal tax advice contained in this communication (including attachments) is not intended or written to be used and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

FDCPA NOTICE: Please be advised that this Firm may be acting as a debt collector and that this communication may constitute an attempt to collect a debt, and any information obtained will be used for that purpose. If the debt is in active bankruptcy or has been discharged through bankruptcy, this communication is not intended as and does not constitute an attempt to collect the debt.



Go Paperless • Reduce Clutter • Save Trees

From: "Jeffrey P. Nolan" <jnolan@pszjlaw.com>

Date: Monday, March 14, 2022 at 6:13 PM

To: "afg@glpcny.com" <afg@glpcny.com>

Subject: RE: Abruzzi et al.

Anthony,

Any motion for summary judgment was due on February 22. [Dkt no. 36] I do not consent to filing an Opposition and calling it a Motion.

Jeffrey P. Nolan

Pachulski Stang Ziehl & Jones LLP

Tel: 310.277.6910 | Fax: 310.201.0760

jnolan@pszjlaw.com

[vCard](#) | [Bio](#) | [LinkedIn](#)



Los Angeles | San Francisco | Wilmington, DE | New York | Houston

From: Anthony Giuliano [<mailto:afg@glpcny.com>]

Sent: Monday, March 14, 2022 9:44 AM

To: Jeffrey P. Nolan <jnolan@pszjlaw.com>

Subject: Abruzzi et al.

Jeff –

How much time do you want to oppose my motion for summary judgment. As I mentioned before I am doing an opposition and “cross-motion” so as not bombard the court with 100s of pages of redundant documents.

Let me know so I can add it to my notice of “cross-motion”.

Anthony F. Giuliano, Esq.

Direct dial: (516) 792-6977

www.giulianolawpc.com



Email Disclaimer: Communications with this email address do not create or imply an attorney-client relationship.

Confidentiality Notice: This communication is from a lawyer and is legally protected pursuant to the Electronic Communications Privacy Act, 18 U.S.C. 2510, et seq., *inter alia*, and may contain privileged and confidential information protected by attorney client and work product privileges or otherwise legally exempt from disclosure and is intended only for the individual named. If you are not the intended recipient, you are prohibited from retaining, reading, disseminating or duplicating any portion of this email and your receipt of this email is and shall not be deemed a waiver of any privilege or confidence. If you are not the named recipient and received this email in error, please immediately notify us by email or collect telephone call and then completely delete this email.

Tax Advice Disclosure: To ensure compliance with the requirements imposed by the IRS in Circular 230, you are hereby informed that any U.S. federal tax advice contained in this communication (including attachments) is not intended or written to be used and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed herein.

FDCPA NOTICE: Please be advised that this Firm may be acting as a debt collector and that this communication may constitute an attempt to collect a debt, and any information obtained will be used for that purpose. If the debt is in active bankruptcy or has been discharged through bankruptcy, this communication is not intended as and does not constitute an attempt to collect the debt.



Go Paperless • Reduce Clutter • Save Trees